



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gregory S. Kelley Confirmation No.: 9566  
 Serial No.: 10/821,237 Examiner: Unknown  
 Filing Date: April 8, 2004 Group Art Unit: 3763  
 Docket No.: 1001.1753101 Customer No.: 28075  
 For: CUTTING BALLOON CATHETER AND METHOD FOR BLADE  
 MOUNTING

**TRANSMITTAL SHEET**

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Sir:

**CERTIFICATE UNDER 37 C.F.R. § 1.8:** I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Amendment  
 Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450  
 on this 9<sup>th</sup> day of July 2004.

By

*David M. Erompton*

David M. Erompton


We are transmitting herewith the attached:

- [ ] Amendment  
 [ ] No additional claim fee required  
 [ ] The claim fee has been calculated as shown:

CLAIMS AS AMENDED							
	(3)	(4)	(5)	SMALL ENTITY		OTHER	
	REMAINING CLAIMS	HIGHEST PAID	EXTRA	RATE	ADD'L FEE	RATE	ADD'L FEE
TOTAL CLAIMS	-	=		X 9=	\$	X 18=	\$
INDEPENDENT CLAIMS	-	=		X 43=	\$	X 86 =	\$
( ) FIRST MULTIPLE DEPENDENT CLAIM				+ 145 =	\$	+ 290 =	\$
TOTAL				\$		\$	

- [ ] A check in the amount of \$ \_\_\_\_\_ is enclosed. Itemization:  
Fee Code \_\_\_\_\_ \$  
Fee Code \_\_\_\_\_ \$  
Fee Code \_\_\_\_\_ \$
- [ ] Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established.
- [XX] Other: Information Disclosure Statement, Form PTO-1449 and 23 cited non-U.S. Patent/Publication References.
- [XX] Return Receipt Postcard (MPEP 503).
- [XXXX] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By:

  
David M. Crompton, Reg. No. 36,772

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

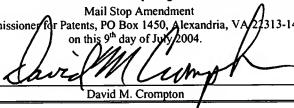
Applicant: Gregory S. Kelley Confirmation No.: 9566  
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INFORMATION DISCLOSURE STATEMENT

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By

  
David M. Crompton

Dear Sir:

Pursuant to the obligations of candor and good faith imposed by 37 C.F.R. § 1.56, the documents listed on the attached PTO-1449 are hereby disclosed.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each non-U.S. patent/publication document or other information listed on the enclosed Form PTO-1449 is provided.

No representation is intended to be made hereby that any of the cited references establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim of the present case.

Respectfully submitted,

Gregory S. Kelley

By his Attorney,

  
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<b>FORM PTO-1449</b>  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Atty. Docket No.: 1001.1753101	Serial No.: 10/821,237
	Applicant: Gregory S. Kelley	
	Confirmation No.: 9566	
	Filing Date: April 8, 2004	Group Art: 3763

## U.S. PATENT DOCUMENTS

Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
AA	2002/0010489	01/24/2002	Grayzel Jeffery et al.	
AB	RE 32,983	07/11/1989	Levy	
AC	RE 33,561	03/26/1991	Levy	
AD	2,816,552	12/17/1957	Hoffman	
AE	3,174,851	03/23/1965	Buehler et al.	
AF	3,351,463	11/07/1967	Rozner et al.	
AG	3,635,223	01/18/1972	Klieman	
AH	3,749,085	07/31/1973	Willson et al.	
AI	3,753,700	08/21/1973	Harrison et al.	
AJ	3,990,453	11/09/1976	Douvas et al.	
AK	4,140,126	02/20/1979	Choudhury	
AL	4,141,364	02/27/1979	Schultze	
AM	4,263,236	04/21/1981	Briggs et al.	
AN	4,273,128	06/16/1981	Lary	
AO	4,292,974	10/06/1981	Fogarty et al.	
AP	4,406,656	09/27/1983	Hattler et al.	
AQ	4,465,072	08/14/1984	Taheri	
AR	4,490,421	12/25/1984	Levy	
AS	4,572,186	02/25/1986	Gould et al.	
AT	4,574,781	03/11/1986	Chin	
AU	4,608,984	09/02/1986	Fogarty	

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Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
AV	4,627,436	12/09/1986	Leckrone	
AW	4,685,458	08/11/1987	Leckrone	
AX	4,686,982	08/18/1987	Nash	
AY	4,696,667	09/29/1987	Masch	
AZ	4,705,517	11/10/1987	DiPisa, Jr.	
BA	4,723,549	02/09/1988	Wholey et al.	
BB	4,728,319	03/01/1988	Masch	
BC	4,747,405	05/31/1988	Leckrone	
BD	4,748,982	06/07/1988	Horzewski et al.	
BE	4,781,186	11/01/1988	Simpson et al.	
BF	4,784,636	11/15/1988	Rydell	
BG	4,787,388	11/29/1988	Hofmann	
BH	4,790,813	12/13/1988	Kensey	
BI	4,793,348	12/27/1988	Palmaz	
BJ	4,796,629	01/10/1989	Grayzel	
BK	4,799,479	01/24/1989	Spears	
BL	4,867,157	09/19/1989	McGurk-Burleson et al.	
BM	4,886,061	12/12/1989	Fischell et al.	
BN	4,887,613	12/19/1989	Farr et al.	
BO	4,896,669	01/30/1990	Bhate et al.	
BP	4,909,781	05/20/1990	Husted	
BQ	4,921,483	05/01/1990	Wijay et al.	
BR	4,921,484	05/01/1990	Hillstead	
BS	4,936,845	06/26/1990	Stevens	
BT	4,960,410	10/02/1990	Pinchuk	
BU	4,966,604	10/30/1990	Reiss	
BV	4,986,807	01/22/1991	Farr	
BW	4,994,018	02/19/1991	Saper	

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Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
BX	5,009,659	04/23/1991	Hamlin et al.	
BY	5,015,231	05/14/1991	Keith et al.	
BZ	5,030,201	07/09/1991	Palestrant	
CA	5,041,125	08/20/1991	Montano, Jr.	
CB	5,042,985	08/27/1991	Elliott et al.	
CC	5,047,040	09/10/1991	Simpson et al.	
CD	5,053,007	10/01/1991	Euteneuer	
CE	5,053,044	10/01/1991	Mueller et al.	
CF	5,071,424	12/10/1991	Reger	
CG	5,074,871	12/24/1991	Groshong	
CH	5,078,722	01/07/1992	Stevens	
CI	5,078,725	01/07/1992	Enderle et al.	
CJ	5,084,010	01/28/1992	Plaia et al.	
CK	5,085,662	02/04/1992	Willard	
CL	5,087,246	02/11/1992	Smith	
CM	5,087,265	02/11/1992	Summers	
CN	5,100,424	03/31/1992	Jang et al.	
CO	5,100,425	03/31/1992	Fischell et al.	
CP	5,102,390	04/07/1992	Crittenden et al.	
CQ	5,102,403	04/07/1992	Alt	
CR	5,116,318	05/26/1992	Hillstead	
CS	5,135,482	08/04/1992	Neracher	
CT	5,147,302	09/15/1992	Euteneuer et al.	
CU	5,152,773	10/06/1992	Redha	
CV	5,156,594	10/20/1992	Keith	
CW	5,156,610	10/20/1992	Reger	
CX	5,158,564	10/27/1992	Schnepp-Pesch et al.	
CY	5,176,693	01/05/1993	Pannek, Jr.	

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Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
CZ	5,180,368	01/19/1993	Garrison	
DA	5,192,291	05/09/1993	Pannek, Jr.	
DB	5,196,024	03/23/1993	Barath	
DC	5,196,025	05/23/1993	Ranalletta et al.	
DD	5,209,749	05/11/1993	Buelna	
DE	5,209,799	05/11/1993	Vigil	
DF	5,224,945	07/06/1993	Pannek, Jr.	
DG	5,226,430	07/13/1993	Spears et al.	
DH	5,226,887	07/13/1993	Farr et al.	
DI	5,226,909	07/13/1993	Evans et al.	
DJ	5,242,396	09/07/1993	Evard	
DK	5,248,311	09/28/1993	Black et al.	
DL	5,250,059	10/05/1993	Andreas et al.	
DM	5,295,959	03/22/1994	Gurbel et al.	
DN	5,300,025	04/05/1994	Wantink	
DO	5,312,425	05/17/1994	Evans et al.	
DP	5,318,576	06/07/1994	Plassche, Jr. et al.	
DQ	5,320,634	06/14/1994	Vigil et al.	
DR	5,328,472	07/12/1994	Steinke et al.	
DS	5,336,234	08/09/1994	Vigil et al.	
DT	5,342,301	08/30/1994	Saab	
DU	5,342,307	08/30/1994	Euteneuer et al.	
DV	5,346,505	09/13/1994	Leopold	
DW	5,372,601	12/13/1994	Lary	
DX	5,395,361	03/07/1995	Fox et al.	
DY	5,399,164	03/21/1995	Snoke et al.	
DZ	5,403,334	04/05/1995	Evans et al.	
EA	5,409,454	04/25/1995	Fischell et al.	

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Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
EB	5,411,466	05/02/1995	Hess	
EC	5,411,478	05/02/1995	Stillabower	
ED	5,415,654	05/16/1995	Daikuzono	
EE	5,417,653	05/23/1995	Sahota et al.	
EF	5,417,703	05/23/1995	Brown et al.	
EG	5,423,745	06/15/1995	Todd et al.	
EH	5,425,711	06/20/1995	Ressemann et al.	
EI	5,437,659	08/01/1995	Leckrone	
EJ	5,441,510	08/15/1995	Simpson et al.	
EK	5,449,343	09/12/1995	Samson et al.	
EL	5,456,681	10/10/1995	Hajjar	
EM	5,487,730	01/30/1996	Marcadis et al.	
EN	5,496,308	03/05/1996	Brown et al.	
EO	5,507,760	04/16/1996	Wynne et al.	
EP	5,507,761	04/16/1996	Duer	
EQ	5,522,818	06/04/1996	Keith et al.	
ER	5,522,825	06/04/1996	Kropf et al.	
ES	5,538,510	07/23/1996	Fontirroche et al.	
ET	5,542,924	08/06/1996	Snoke et al.	
EU	5,549,556	08/27/1996	Ndondo-Lay et al.	
EV	5,554,121	09/10/1996	Ainsworth et al.	
EW	5,556,405	09/17/1996	Lary	
EX	5,556,408	09/17/1996	Farhat	
EY	5,569,277	10/29/1996	Evans et al.	
EZ	5,571,087	11/05/1996	Ressemann et al.	
FA	5,616,149	04/01/1997	Barath	
FB	5,628,761	05/13/1997	Rizik	
FC	5,643,209	07/01/1997	Fugoso et al.	

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Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
FD	5,643,296	07/01/1997	Hundertmark et al.	
FE	5,662,671	09/02/1997	Barbut et al.	
FF	5,669,920	09/23/1997	Conley et al.	
FG	5,681,336	10/28/1997	Clement et al.	
FH	5,697,944	12/16/1997	Lary	
FI	5,713,913	02/03/1998	Lary et al.	
FJ	5,720,724	02/24/1998	Ressemann et al.	
FK	5,728,123	03/17/1998	Lemelson et al.	
FL	5,769,819	06/23/1998	Schwab et al.	
FM	5,769,865	06/23/1998	Kermode et al.	
FN	5,792,158	08/11/1998	Lary	
FO	5,797,935	08/25/1998	Barath	
FP	5,800,450	09/01/1998	Lary et al.	
FQ	5,820,594	10/13/1998	Fontirroche et al.	
FR	5,824,173	10/20/1998	Fontirroche et al.	
FS	5,827,201	10/27/1998	Samson et al.	
FT	5,827,225	10/27/1998	Ma Schwab	
FU	5,827,310	10/27/1998	Mann et al.	
FV	5,895,402	04/20/1999	Hundertmark et al.	
FW	5,921,958	07/13/1999	Ressemann et al.	
FX	5,931,819	08/03/1999	Fariabi	
FY	5,993,469	11/30/1999	Barbut et al.	
FZ	5,997,557	12/07/1999	Barbut et al.	
GA	6,010,521	01/04/2000	Lee et al.	
GB	6,024,722	02/15/2000	Rau et al.	
GC	6,030,371	02/29/2000	Pursley	
GD	6,039,699	03/21/2000	Viera	

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GE	6,066,149	05/23/2000	Samson et al.	
GF	6,068,623	05/30/2000	Zadno-Azizi et al.	
GG	6,117,153	09/12/2000	Lary et al.	
GH	6,139,510	10/31/2000	Palermo	
GI	6,142,975	11/07/2000	Jalisi et al.	
GJ	6,165,140	12/26/2000	Ferrera	
GK	6,165,167	12/26/2000	Delaloye	
GL	6,165,292	12/26/2000	Abrams et al.	
GM	6,168,571	01/02/2001	Solar et al.	
GN	6,179,851	01/30/2001	Barbut et al.	
GO	6,190,332	02/20/2001	Muni et al.	
GP	6,193,686	02/27/2001	Estrada et al.	
GQ	6,213,957	04/10/2001	Milliman et al.	
GR	6,217,549	04/17/2001	Selmon et al.	
GS	6,217,567	04/17/2001	Zadno-Azizi et al.	
GT	6,221,006	04/24/2001	Dubrul et al.	
GU	6,241,690	06/05/2001	Burkett et al.	
GV	6,254,550	07/03/2001	McNamara et al.	
GW	6,258,108	07/10/2001	Lary	
GX	6,306,105	10/23/2001	Rooney et al.	
GY	6,306,151	10/23/2001	Lary	
GZ	6,309,399	10/30/2001	Barbut et al.	
HA	6,344,029	02/05/2002	Estrada et al.	
HB	6,355,016	03/12/2002	Bagaoisan et al.	
HC	6,383,146	05/07/2002	Klint	
HD	6,387,075	05/14/2002	Stivland et al.	
HE	6,394,995	05/28/2002	Solar et al.	
HF	6,398,798	06/04/2002	Selmon et al.	

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Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
HG	6,409,863	06/25/2002	Williams et al.	
HH	6,425,882	07/30/2002	Vigil	
HI	6,471,673	10/29/2002	Kasterhofer	
HJ	6,471,713	11/29/2002	Vargos et al.	
HK	6,533,754	03/18/2003	Hisamatsu et al.	
HL	6,544,276	04/08/2003	Azizi	
HM	6,562,062	05/13/2003	Jenusaitis et al.	
HN	6,602,265	08/05/2003	Dubrul et al.	
HO	6,632,231	10/14/2003	Radisch, Jr.	

## FOREIGN PATENT DOCUMENTS

	Document No.	Date	Country	Translation Yes No
HP	DE 34 00 416 A1	07/18/1985	Germany	Yes
HQ	DE 34 02 573 A1	08/22/1985	Germany	Yes
HR	DE 35 19 626 A1	12/04/1986	Germany	Yes
HS	EP 0 291 170 A1	11/17/1988	Europe	
HT	EP 0 414 350 A1	02/27/1991	Europe	
HU	EP 0 784 966 A1	07/23/1997	Europe	
HV	GB 1 547 328	06/13/1979	United Kingdom	
HW	WO 90/07909 A1	07/26/1990	WIPO	
HX	WO 91/17714 A1	11/28/1991	WIPO	
HY				

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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

		Lary, Banning G., et al., "A Method for Creating a Coronary-Myocardial Artery," <u>Surgery</u> , June 1966, Vol. 59, No. 6, pp. 1061-1064.
	HZ	
	IA	Lary, Banning G., "An Epicardial Purse String Suture for Closing Coronary Arteriotomy," <u>The American Surgeon</u> , March 1967, Vol. 33, No. 3, pp. 213-214.
	ID	Lary, Banning G., "Coronary Artery Incision and Dilation," <u>Archives of Surgery</u> , December 1980, Vol. 115, pp. 1478-1480.
	IC	Lary, Banning G., "Coronary Artery Resection and Replacement by a Blood Conduit," <u>Surgery</u> , April 1969, Vol. 65, No. 4, pp. 584-589.
	ID	Lary, Banning G., "Effect of Endocardial Incisions on Myocardial Blood Flow," <u>Archives of Surgery</u> , September 1963, Vol. 87, pp. 424-427.
	IE	Lary, B.G., "Experimental Maintenance of Life by Intravenous Oxygen, Preliminary Report," <u>Clinical Congress of the American College of Surgeons</u> , San Francisco, November 5-9, 1951, pp. 30-35.
	IF	Lary, Banning G., et al., "Experimental Vein Angioplasty of the Circumflex Coronary Artery," <u>Journal of Surgical Research</u> , September 1974, Vol. 17, No. 3, pp. 210-214.
	IG	Lary, Banning G., "Method for Increasing the Diameter of Long Segments of the Coronary Artery," <u>The American Surgeon</u> , January 1966, Vol. 32, No. 1, pp. 33-35.
	IH	Lary, Banning G., et al., "Myocardial Revascularization Experiments Using the Epicardium," <u>Archives of Surgery</u> , January 1969, Vol. 98, pp. 69-72.
	II	Lary, Banning G., "Onlay Vein Graft for the Correction of Coronary Artery Obstruction," <u>Surgery</u> , April 1966, Vol. 59, No. 4, pp. 547-551.
	IJ	Lary, Banning G., "Surgery for Coronary Artery Disease," <u>Nursing Clinics of North America</u> , September 1967, Vol. 2, No. 3, pp. 527-542.
	IK	Lary, Banning G., et al., "The 'Coronary Myocardial Artery' for Coronary Artery Disease," <u>Diseases of the Chest</u> , April 1966, Vol. 49, No. 4, pp. 412-419.
	II	U.S. Application Serial No. 10/436,216 to Show-Mean Wu, filed May 12, 2003.
	IM	U.S. Application Serial No. 10/447,766 to Show-Mean Steve Wu et al., filed May 29, 2003.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /JG/

EXAMINER: /John Goff/	DATE CONSIDERED: 06/02/2008
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